

Fax/Facsimile with the enclosed for delivery immediately to this address	(Name) Johnson & Smith, PC (Address / Street / P.O. Box) 2001 Jefferson Davis Hwy., Suite 1102 (City / State / Zip) Arlington, VA 22202-3604
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Number	muscat234			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat235			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat236			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat237			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat238			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat239			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat240			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat241			
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Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat242			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			
Number	muscat243			
Title of Photograph				
Date of First Publication	6	July	2005	Nation of First Publication: Singapore
Description of Photograph	[redacted]			

Applicant's
Name (Last, First, Middle)
Address
City / State / Zip

Name: Jerrison S. Smith, PO
Address: 2001 Jefferson Davis Hwy, Suite 1102
City / State / Zip: Arlington, VA 22202-3604

Applicant's
Name (Last, First, Middle)
Address
City / State / Zip

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muscat244	Title of Photograph	muscat244	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
	Description of Photograph							
muscat245	Title of Photograph	muscat245	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
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	Description of Photograph							
muscat247	Title of Photograph	muscat247	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
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muscat248	Title of Photograph	muscat248	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
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muscat249	Title of Photograph	muscat249	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
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muscat250	Title of Photograph	muscat250	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
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muscat251	Title of Photograph	muscat251	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
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muscat252	Title of Photograph	muscat252	Date of First Publication	6	July	2005	Nation of First Publication	Singapore
	Description of Photograph							
namha001	Title of Photograph	namha001	Date of First Publication	14	July	2005	Nation of First Publication	Singapore
	Description of Photograph							

Exhibit
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2001 Jefferson Davis Hwy., Suite 1102
Arlington, VA 22202-3604

2001 Jefferson Davis Hwy., Suite 1102
Arlington, VA 22202-3604

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1	Title of Photograph	namhai002			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
2	Title of Photograph	namhai003			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
3	Title of Photograph	namhai004			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
4	Title of Photograph	namhai005			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
5	Title of Photograph	namhai006			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
6	Title of Photograph	namhai007			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
7	Title of Photograph	namhai008			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
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8	Title of Photograph	namhai009			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
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9	Title of Photograph	namhai010			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			
10	Title of Photograph	namhai011			
	Date of First Publication	14	July	2005	Nation of First Publication Singapore
	Description of Photograph	[Redacted]			

Exhibit A
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**To
Rent**











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B

Southwest
 • **Arizona**—The Arizona Department of Transportation is planning to build a new toll road from Phoenix to Tucson. The road will be 100 miles long and will cost \$1.5 billion. The road will be built by a private company and will be operated for 30 years. The road will be a four-lane highway with a median and shoulders. The road will be built on a right-of-way that is 100 feet wide. The road will be built on a right-of-way that is 100 feet wide. The road will be built on a right-of-way that is 100 feet wide.

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	Title of Photograph	namhai042			B Photograph of Subject in Photograph		
	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
	Title of Photograph	namhai043			B Photograph of Subject in Photograph		
	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
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	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
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	Date of First Publication	14	July	2005			
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	Description of Photograph	[Redacted]					
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	Date of First Publication	14	July	2005			
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	Description of Photograph	[Redacted]					
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	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
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	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
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	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
	Title of Photograph	namhai050			B Photograph of Subject in Photograph		
	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
	Title of Photograph	namhai051			B Photograph of Subject in Photograph		
	Date of First Publication	14	July	2005			
	Nation of First Publication	Singapore					
	Description of Photograph	[Redacted]					
Continued on the back of this page	<table border="1"> <tr> <td> Name of Institution / Firm 2001 Jefferson Davis Hwy, Suite 1102 City / State / Zip Arlington, VA 22202-3604 </td> <td> Name of Institution / Firm 2001 Jefferson Davis Hwy, Suite 1102 City / State / Zip Arlington, VA 22202-3604 </td> </tr> </table>					Name of Institution / Firm 2001 Jefferson Davis Hwy, Suite 1102 City / State / Zip Arlington, VA 22202-3604	Name of Institution / Firm 2001 Jefferson Davis Hwy, Suite 1102 City / State / Zip Arlington, VA 22202-3604
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2010年12月10日

QUESTIONS

1. What is the purpose of the study?

2. What is the research design?

3. What is the sample size?

4. What is the data collection method?

5. What is the data analysis method?

6. What are the results of the study?

7. What are the conclusions of the study?

8. What are the limitations of the study?

9. What are the implications of the study?

10. What are the future research directions?

Number	Title of Photograph			Date of First Publication			Nation of First Publication		
	namhai062			14 July 2005			Singapore		
	Description of Photograph								
Number	Title of Photograph			Date of First Publication			Nation of First Publication		
	namhai063			14 July 2005			Singapore		
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Number	Title of Photograph			Date of First Publication			Nation of First Publication		
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Number	Title of Photograph			Date of First Publication			Nation of First Publication		
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Number of
Photographs
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City/State/Zip
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JUL 14 2005
U.S. CUSTOMS AND BORDER PROTECTION
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NEW YORK, NY

<input type="checkbox"/>	Title of Photograph	carcos0093	Date of First Publication	15 September 2005	Nation of First Publication	Singapore
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Exhibit 100
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Title of Photograph	8 October 2005			Nation of First Publication Singapore
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Title of Photograph	8 October 2005			Nation of First Publication Singapore
Date of First Publication	8 October 2005			
Description of Photograph				

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Attorney
 Jennifer A. Boring, P.C.
 Attorney at Law
 2001 Jefferson Davis Hwy., Suite 1102
 Arlington, VA 22202-3604

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	Title of Photograph	setai214			
	Date of First Publication	8	October	2005	Nation of First Publication: Singapore
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	Date of First Publication	8	October	2005	Nation of First Publication: Singapore
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 If necessary, attach additional pages to this declaration.

Name of
 Plaintiff's Attorney

Address / Street / Apt. #

2001 Jefferson Davis Hwy, Suite 1102

City / State / Zip

Arlington, VA 22202-3604

Signature of Plaintiff's Attorney
 Printed Name of Plaintiff's Attorney
 Title of Plaintiff's Attorney
 Date of Signature
 Signature of Plaintiff
 Printed Name of Plaintiff
 Title of Plaintiff
 Date of Signature

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	Description of Photograph									
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	Description of Photograph									

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on next page

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on next page

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Number	Title of Photograph	Date of First Publication	Nation of First Publication	Description of Photograph
	carcosa007	16 September 2005	Singapore	
	carcosa008	16 September 2005	Singapore	
	carcosa009	16 September 2005	Singapore	
	carcosa010	16 September 2005	Singapore	
	carcosa011	16 September 2005	Singapore	
	carcosa012	16 September 2005	Singapore	
	carcosa013	16 September 2005	Singapore	
	carcosa014	16 September 2005	Singapore	
	carcosa015	16 September 2005	Singapore	
	carcosa016	16 September 2005	Singapore	

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	Description of Photograph	[Redacted]				
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	Description of Photograph	[Redacted]				
Copyright	Author	[Redacted]				
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Number	setai304			
Title of Photograph	8	October	2005	Nation of First Publication: Singapore
Date of First Publication	Month	Day	Year	
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Date of First Publication	Month	Day	Year	
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Date of First Publication	Month	Day	Year	
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Date of First Publication	Month	Day	Year	
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Date of First Publication	Month	Day	Year	
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Title of Photograph	8	October	2005	Nation of First Publication: Singapore
Date of First Publication	Month	Day	Year	
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Title of Photograph	8	October	2005	Nation of First Publication: Singapore
Date of First Publication	Month	Day	Year	
Description of Photograph	[Redacted]			
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Title of Photograph	8	October	2005	Nation of First Publication: Singapore
Date of First Publication	Month	Day	Year	
Description of Photograph	[Redacted]			
Number	setai313			
Title of Photograph	8	October	2005	Nation of First Publication: Singapore
Date of First Publication	Month	Day	Year	
Description of Photograph	[Redacted]			

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SYSTEM

Exhibit T

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7 Attorneys for Plaintiff
8 THE WAVE STUDIO, LLC

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12
13 THE WAVE STUDIO, LLC, a New York
Limited Liability Corporation,

14 Plaintiff,

15 v.

16 MASTERCARD INTERNATIONAL, INC.,
a Delaware corporation; VIRTUOSO, LTD.,
17 a Delaware corporation; VISA INC., a
California corporation, and DOBS 1-100,

18 Defendants.
19

Case No. 3:14-cv-01342-RS

**DECLARATION OF JUNIOR LEE IN
SUPPORT OF PLAINTIFF'S
OPPOSITION TO MOTION FOR
TRANSFER OR, ALTERNATIVELY, TO
STAY**

20
21 I, Junior Lee, declare as follows:

22 ///

23 ///

24 ///

1 1. I am owner, founder, Chief Executive Officer, and sole employee of The Wave
2 Studio, LLC ("Wave Studio"). I make this declaration on behalf of Wave Studio in support of its
3 Opposition To Defendants' Motion To Transfer Or, Alternatively, To Stay. Except where
4 otherwise indicated, this declaration is based upon my personal knowledge, and I could and
5 would testify competently to the truth of the matters stated herein if called upon to do so.

6 2. I am a photographer and through my company Wave Studio I am the copyright
7 owner of all photographs at issue in this litigation. I formed Wave Studio in order to hold,
8 manage, and control the U.S. intellectual property rights to my photographs including several
9 copyright registrations. My photographs of hotels, travel destinations, and nature scenes are used
10 in marketing materials throughout the world. The photographs of hotels and travel destinations at
11 issue in this litigation (the "Hotel Photographs") were captured in dozens of different cities and
12 countries around the world. The Hotel Photographs are all registered with the United States
13 Copyright Office.

14 3. While Wave Studio maintains an office in White Plains, New York, all relevant
15 documents and knowledge are in my possession in Singapore.

16 4. I expect that I will be a witness at trial in this litigation. I will provide information
17 about the creation, ownership, and copyright registration of the Hotel Photographs. I reside full-
18 time in Singapore. Travel to San Francisco is far more convenient and considerably less
19 expensive for me than travel to New York.

20 5. I expect that two former Wave Studio employees, Ms. Wei Wei, Gwee and Mr.
21 See Kong, Lim, will provide testimony at trial in this litigation regarding the creation and
22 ownership of certain of the Hotel Photographs. Ms. Wei Wei, Gwee resides full time in
23 Singapore. Mr. See Kong, Lim is a resident of Singapore. On information and belief, Mr. See
24 Kong, Lim currently resides in Thailand. Travel to San Francisco is far more convenient and
25 considerably less expensive for both Ms. Wei Wei, Gwee and Mr. See Kong, Lim than travel to
26 New York.

1 6. I also expect that former Wave Studio freelance digital artist Mr. Wing Kheong,
2 Cheong will provide testimony at trial in this litigation regarding the development of marketing
3 materials incorporating the Hotel Photographs. Mr. Wing Kheong, Cheong resides full time in
4 Singapore. Travel to San Francisco is far more convenient and considerably less expensive for
5 Mr. Wing Kheong, Cheong than travel to New York.

6 7. I am aware of no evidence relating this litigation to the action currently pending
7 in the Southern District of New York, *The Wave Studio, LLC v. General Hotel Management*
8 *Ltd., et al.*, Case No. 7:13-cv-09239 (S.D.N.Y.) (the "New York Action"). The New York
9 Action involves entirely different defendants. Further, a number of the Hotel Photographs at
10 issue in this litigation are not at issue in the New York Action.

11 8. This litigation is also unrelated to the New York Action Defendant General Hotel
12 Management, Ltd. ("GHM"). I am not aware of any evidence connecting GHM with the
13 distribution of any of the Hotel Photographs in this action. As I understand it, several of the
14 properties involved in this action stopped working with GHM a number of years ago. Therefore,
15 it is unlikely that GHM was the source of these photographs. Much more likely, on information
16 and belief, Defendants in this action obtained the Hotel Photographs at issue from third party
17 sources on the Internet.

18 9. In addition, I am aware of evidence suggesting that GHM did not distribute and
19 would not have distributed certain of the Hotel Photographs. Specifically, at least two of the
20 Hotel Photographs infringed by potential Defendant Visa in 2012 are unpublished photographs
21 of The Setai Miami. On information and belief, Visa may have obtained these photographs
22 directly from The Setai Miami. These Hotel Photographs were never given to GHM, so it never
23 had access to these unpublished photographs. Thus, in addition to the fact that GHM is unlikely
24 to have provided Visa with photographs of hotels it was no longer managing, on information and
25 belief, GHM did not have access to these unpublished photographs to provide them to Visa, and
26 Visa received these photographs directly from The Setai Miami.

1 ///

2 ///

3 ///

4

5 I declare under penalty of perjury under the laws of the State of California that the

6 foregoing is true and correct to the best of my knowledge. Executed this 19th day of September

7 2014, at the Republic of Singapore.

8

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15 By: 

16 Junior Lee

17 Owner, Founder, and CEO

18 THE WAVE STUDIO, LLC

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